

**UNITED STATES DISTRICT COURT
DISTRICT OF NORTH DAKOTA**

**CHAMBERS OF
KAREN K. KLEIN
UNITED STATES MAGISTRATE JUDGE**

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MEMORANDUM TO: COUNSEL

**RE: Pretrial motion practice in criminal cases assigned
to Judge Webb**

Counsel in criminal cases assigned to Judge Webb are advised that the following practice will be followed for pretrial motions:

1. The motion deadline established by the court will be firm and is the date by which all pretrial motions must be filed in the office of the clerk.

(a) Untimely motions will not be considered;

(b) An extension of time for filing of motions will be considered only for good cause shown on an application filed with the clerk prior to the expiration of the motion date;

(c) A motion for extension of time filed after the expiration date will be considered only on a showing that counsel, exercising diligence, could not have filed the motion prior to the expiration date.

2. Motions shall be supported by concise factual allegations showing a prima facie right to the relief requested with appropriate citations to applicable law. Because of the Speedy Trial requirements, Local Rule 7.2 relating to a permitted delayed filing of briefs shall not be applicable.

3. Responses to pretrial motions shall be made as early as possible and not later than 10 days after the service of such motion.

4. Rule 16 discovery should be accomplished by the parties themselves, without the necessity of a court order unless there is dispute as to whether the matter is discoverable or a request for a protective order under subdivision (d)(1).

KAREN K. KLEIN, U.S. MAGISTRATE JUDGE